

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

TAIWO K. ONAMUTI,

§

v.

§

**CIVIL ACTION NO. 5:22-CV-00056-RWS-
JBB**

Warden FCI Texarkana.

§

ORDER

Before the Court is Respondent's Motion to Dismiss. Docket No. 8. Taiwo K. Onamuti, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The Court referred this matter to the Honorable J. Boone Baxter, United States Magistrate Judge, for consideration pursuant to 28 U.S.C. § 636 and applicable orders of the Court.

The Magistrate Judge submitted a Report and Recommendation of United States Magistrate Judge recommending that a motion to dismiss filed by the Respondent be granted. Docket No. 11. The Court has received and considered the Magistrate Judge's Report, along with the record and pleadings.

Petitioner received a copy of the Magistrate Judge's Report on August 8, 2023. Docket No. 12. He has filed no objections. Because no objections have been received, Plaintiff is barred from *de novo* review by the District Judge of the Magistrate Judge's proposed findings, conclusions and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *See Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017); *Arriaga v. Laxminarayan*, Case No. 4:21-CV-00203- RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021).

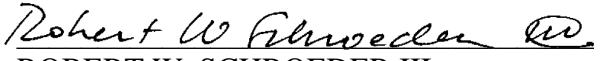
The Court has reviewed the pleadings in this case and the Report of the Magistrate Judge.

Upon such review, the Court has determined the report of the Magistrate Judge is correct. *See* *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989) (where no objections to a Magistrate Judge's report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). Accordingly, it is

ORDERED that the report and recommendation of United States Magistrate Judge (Docket No. 11) is **ADOPTED** as the findings and conclusions of this Court. It is further

ORDERED that the motion to dismiss (Docket No. 8) is **GRANTED** and this above-captioned matter is **DISMISSED**. A final judgment shall be entered in accordance with the recommendation of the Magistrate Judge.

So ORDERED and SIGNED this 29th day of August, 2023.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE